

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

In re:

Enied A. McLeod
Carleton A. McLeod,
Debtor(s)

Case No.: 17-24841-beh
Chapter 13

NOTICE OF MOTION TO SELL REAL ESTATE

The above-named debtor(s) has/have filed papers with the court requesting approval for the sale of real estate. A copy of the motion is attached.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, **then within fourteen (14) days of this notice**, you or your attorney must:

File with the court a written objection to the motion and a request for a hearing at:

Office of the Clerk of Court
U.S. Bankruptcy Court
517 East Wisconsin Ave.
Milwaukee, WI 53202

If you mail your request and objection to the court for filing, you must mail it early enough so the

Drafted by:
Timothy R. Hall
Law Office of Timothy R. Hall
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court receives it within fourteen (14) days of this notice.

You must also mail a copy of the written objection and request for a hearing to the debtor(s)

attorney:

Attorney Timothy R. Hall
Law Office of Timothy R. Hall
5600 W. Brown Deer Rd., Suite 203
Brown Deer, WI 53223

and to the trustee:

Scott Lieske
Chapter 13 Trustee
PO Box 510920
Milwaukee, WI 53203

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting the relief.

Dated: July 11, 2019

Law Office of Timothy R. Hall
Attorney for Movant/Debtors

By: /s/Timothy R. Hall
Timothy R. Hall
State Bar No. 1016369

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN**

In re:

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Debtor(s)

Case No.: 17-24841-beh

Chapter 13

MOTION TO SELL REAL ESTATE PURSUANT TO 11 U.S.C. §363

Comes Now the debtors, by and through their attorney, Timothy R. Hall, and state as follows:

1. Debtor(s) commenced this case on May 16, 2017 by filing a voluntary petition for relief under Chapter 13 of Title 11 of the United States Bankruptcy Code.
2. This court has jurisdiction over this motion, filed pursuant to 11 U.S.C. §363, to sell real estate owned by the debtors, under 28 U.S.C. §1334.
3. The debtors own real estate located at 2418-18A N. 53rd St., Milwaukee, WI 53210 (the “property”), which is currently used as residential rental property.
4. The property is subject to a mortgage dated 12/04/2003 in the original amount of \$85,000.00 and recorded on 12/17/2003 in the office of the Milwaukee County Register of Deeds.
5. The mortgage is currently held by Freedom Mortgage Corporation (Freedom) pursuant to an assignment dated 03/08/20017 which was recorded on 04/28/2017.

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6. Upon information and belief, there is a current principal balance owing on the mortgage in the amount of \$64,407.05.
7. Upon information and belief, there are no liens, claims, encumbrances, judgments or tax liens against the property, other than Freedom's mortgage. In support thereof, a title commitment dated February 8, 2019 is attached hereto and made a part hereof.
8. The property is burdensome to the debtors' estate due to costs of operation including code violation issues and other operating expenses.
9. The debtors have marketed the property through a realtor, "It's Your Move", Real Estate Services, LLC, and have accepted a cash offer for the property in the amount of \$25,000.00, contingent on lender approval for a short sale.
10. Upon information and belief, the proposed sale price is reasonable based on the current condition of the property and current market conditions.
11. Upon information and belief, Freedom Mortgage will not consider the proposed sale of the property absent an order approving the sale of the property by the court.
12. All sale proceeds excepting costs of sale and prorations shall be paid to Freedom. A copy of the proposed closing statement is attached hereto and made a part hereof.

WHEREFORE, debtor(s) pray for an order of this court, pursuant to 11 U.S.C. §363, ordering a sale of the property located at 2418-18A N. 53rd St., Milwaukee, WI 53210 in the amount of \$25,000.00; that said sale be free and clear of all liens, claims, encumbrances, judgments or tax liens against the property; that the net proceeds of said sale be paid to Freedom Mortgage Corporation in satisfaction of its mortgage; and for such other relief as may be just and proper.

Dated: July 11, 2019

Attorney for Debtor(s)

/s/Timothy R. Hall

Timothy R. Hall, Attorney at Law
State Bar No. 1016369